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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR JAVIER ZERMENO, a/k/a
"Moreno," a/k/a "Negro";
MIGUEL BARRAGAN, a/k/a "Mikey," a/k/a
"Mikey Banger," a/k/a "MB";
EZEQUIEL GUZMAN, a/k/a "Cheque";
JOEY MAGADAN;
JONATHAN MALDONADO, a/k/a "Sirjohn";
MATTHEW PETE MENDEZ, a/k/a "Mateo";
ALEJANDRO HAWKINS;
VICTOR AGUILAR DIAZ;
FRANCISCO SALINAS DIAZ, a/k/a "Kid,"
a/k/a "Kip";
FRANCISCO FERMAN;
IVAN ALEJANDRO HERNANDEZ;
MICHAEL NERI, a/k/a "Chorro";
EDUARDO AMEZCUA, a/k/a "E"; and
JORGE DELORES CRUZ, a/k/a "Jorge
Dolores",

Defendants.

CASE NO. 1:23-CR-00115-NODJ-BAM

STIPULATION CONTINUING STATUS
CONFERENCE, AND REGARDING
EXCLUDABLE TIME PERIODS UNDER
SPEEDY TRIAL ACT; FINDINGS AND ORDER

DATE: January 10, 2024

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

1. By previous order, this matter was set for status conference on January 10, 2024.
2. By this stipulation, defendants now move to continue the status conference until April 24, 2024, and to exclude time between January 10, 2024, and April 24, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes thousands of pages of investigative reports, photographs, several large cell phone extractions, video evidence (including body-worn camera), thousands of pages of social media content, and hours of recorded, intercepted communications. All this discovery has been either produced directly to counsel and/or made available for inspection and copying. Supplemental discovery has also been produced on multiple occasions.

b) Counsel for defendants desire additional time to conduct independent investigation, review the voluminous discovery, consult with his/her client, conduct research, explore a pretrial resolution of the case, and otherwise prepare for trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of January 10, 2024 to April 24, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii), (iv) [Local Code T4] because the case is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section and it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial..

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial

1 must commence.

2 IT IS SO STIPULATED.

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4 Dated: December 29, 2023

PHILLIP A. TALBERT
United States Attorney

5
6 /s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

7
8 Dated: December 29, 2023

/s/ MARC DAYS
MARC DAYS
Counsel for Defendant
Victor Zermeno

9
10
11 Dated: December 29, 2023

/s/ PETER JONES
PETER JONES
Counsel for Defendant
Miguel Barragan

12
13
14
15 Dated: December 29, 2023

/s/ ANTHONY P. CAPOZZI
ANTHONY P. CAPOZZI
Counsel for Defendant
Ezequiel Guzman

16
17
18
19 Dated: December 29, 2023

/s/ MARIO TAFUR
MARIO TAFUR
Counsel for Defendant
Jonathan Maldonado

20
21
22 Dated: December 29, 2023

/s/ ROGER D. WILSON
ROGER D. WILSON
Counsel for Defendant
Matthew Mendez

23
24
25
26 Dated: December 29, 2023

/s/ DOUGLAS C. FOSTER
DOUGLAS C. FOSTER
Counsel for Defendant
Alejandro Hawkins

1 Dated: December 29, 2023

/s/ ERIC H. SCHWEITZER

ERIC H. SCHWEITZER

Counsel for Defendant

Jonathan Maldonado

4 Dated: December 29, 2023

/s/ VICTOR M. CHAVEZ

VICTOR M. CHAVEZ

Counsel for Defendant

Francisco Ferman

7 Dated: December 29, 2023

/s/ STEVEN CRAWFORD

STEVEN CRAWFORD

Counsel for Defendant

Ivan Hernandez

10 Dated: December 29, 2023

/s/ DANIEL L. HARRALSON

DANIEL L. HARRALSON

Counsel for Defendant

Michael Neri

14 Dated: December 29, 2023

/s/ MELISSA BALOIAN

MELISSA BALOIAN

Counsel for Defendant

Eduardo Amezcua

18 Dated: December 29, 2023

/s/ CHRISTINA CORCORAN

CHRISTINA CORCORAN

Counsel for Defendant

Jorge Delores Cruz

21 Dated: December 29, 2023

/s/ W. SCOTT QUINLAN

W. SCOTT QUINLAN

Counsel for Defendant

Joey Magadan

24 Dated: January 3, 2024

/s/ ERNEST S. KINNEY

ERNEST S. KINNEY

Counsel for Defendant

VICTOR DIAZ

ORDER

IT IS SO ORDERED that the status conference is continued from January 10, 2024, to **April 24, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii), (iv).

IT IS SO ORDERED.

Dated: January 3, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE